

Grass Carp Permits 2
January 10, 1991

Return Application Request, signed and dated to:

Mac Watson, Hatchery Coordinator
S.C.W.M.R.D.
Triploid Grass Carp Program
P.O. Box 167
Columbia, SC 29202

Approved vendors will receive written notification of approval and a supply of S.C.W.M.R.D. triploid (sterile) Grass Carp Permits. Additional permits can be obtained through written request to the above address.

South Carolina Wildlife and Marine Resources Department

Policy and Procedures for the Importation, Possession

and Sale of Triploid Grass Carp (21094)

1. Only triploid (sterile) grass carp, (*Ctenopharyngodon idella*) will be legal for transport, sale or possession in South Carolina. Any exceptions to this will require prior written notification of such intentions and written approval from the Chief of Fisheries, SCWMRD.

2. All triploid grass carp shipped into South Carolina upon entering the state, will be taken directly to the Campbell Fish Hatchery (Styx), 1522 Fish Hatchery Road, West Columbia, SC, for sterility certification which will be conducted by the use of a Coulter counter.

Testing of all sterile, triploid grass carp will be accomplished through the use of a Coulter counter Model ZM and Model 256 channelizer, Fish whose nuclei volume peak less than 11.4u3 will be considered as being "diploid" grass carp. Fish having nuclei volume peak greater than 11.4u3 will be considered as "triploid" grass carp.

A 5% sample of each shipment or 120 fish (whichever volume is smaller) will be tested. If a "diploid" fish is detected during Coulter certification, the shipment will be rejected. The producer will be informed of such immediately and the rejected shipment fish will be escorted by SCWMRD personnel out of state. NO EXCEPTIONS! Department personnel will be glad to assist any driver of a "rejected" load with flushing his fish hauling units and the location of ice or oxygen to avoid undue stress on fish prior to leaving South Carolina. "Diploid" fish found during certification will be retained by the S.C. Wildlife and Marine Resources Department.

3. Triploid grass carp shipments will be received for sterility certification at the Campbell Fish Hatchery (Styx) on an annual basis. Fish will be inspected between the hours of 7:00 A.M. to 3:00 P.M. All shipments will require a 5 day notice prior to arrival. It is understood that transport

schedules may occasionally and unavoidably deviate from these time requirements, however, everyone is requested to follow as closely as possible.

Failure to notify the proper SCWMRD personnel of shipment cancellations or changes prior to their appointment for Coulter certification at the Campbell Hatchery will result in that respective vendor being held responsible for SCWMRD costs (labor, etc.) to staff the department's certification facility for that requested date.

Payment for labor costs, etc. will be required prior to any future SCWMRD certification for that vendor.

SCWMRD personnel may be contacted as follows:

Mac Watson, Hatchery Coordinator (radio call #WF60)
P.O. Box 167
Columbia, SC 29202

Columbia Office (803) 7343933

Home (803) 7551389

Campbell Fish House (803) 7559940

Mitch Manis, Superintendent, Campbell Fish Hatchery
Office (803) 7552072
Home (803) 7552771

SCWMRD Columbia Radio Room (803) 7343881

4. Drivers of transport units must have on board a certificate of origin verifying triploid carp, the number being hauled and the producer of the triploid carp.
5. Transport units, as well as any instate facility in which triploid carp are being held for sale, are subject to spot checking to verify ploidy by SCWMRD personnel at any time.
6. Instate facilities, which hold fish prior to sale, must be equipped with all necessary escapement barriers and precautions to prevent any possible escape of fish into native waters. Screening of a mesh size to prevent escapement will be required on all direct outlets, drain pipes, or emergency spillways if applicable. Proper maintenance and/or repair will be the responsibility of the vendor
7. Distributors will provide a SCWMRD Permit Receipt to all buyers of triploid carp stating the number of fish purchased and verifying that the individual received 100% triploid fish. SCWMRD triploid (sterile) grass carp permits can be obtained (no charge) by written request to:

Mac Watson, Hatchery Coordinator

SCWMRD
P.O. Box 167
Columbia, SC 29202

Used permit stubs are to be returned each year by December 31st to the above address.

Failure of vendors to comply with Freshwater Fisheries Division (SCWMRD) policy regarding the sale, transport, possession or record keeping procedures will be grounds for revocation of "Approved Vendor" status.

(A303, R341, 4335)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY
ADDING SECTION 5017 357 SO AS TO PROVIDE REQUIREMENTS AND
PENALTIES FOR IMPORTATION OF SHELLFISH.**

Be it enacted by the General Assembly of the State of South Carolina;

Shellfish, regulation of SECTION 1. The 1976 Code is amended by adding:

"Section 5017357. (A) No individual or corporation may import molluscan, shellfish tissues or shell" into this State for the purpose of placing them in natural waters or waters connected to natural waters except under the provisions of a shellfish importation permit ___ issued by the department nor may any individual or corporation place any imported molluscan shellfish, shellfish tissues, or shells in natural waters or waters connected to natural waters without a shellfish importation permit issued by the department

(B) The department may issue permits to individuals or corporations to import molluscan shellfish, shellfish tissues or shells into South Carolina for commercial or experimental purposes or to place such imported molluscan shellfish, shellfish tissues or shells into natural waters or water connected to natural waters, or both. Before issuing a permit, the department may conjured other permits previously issued by the department and other provision" of Title 50. Permits may include conditions related to:

- (1) the type or specie" of mollusk" to be imported;**
 - (2) the structure and placement of holding or storage facilities;**
 - (3) the placement of product in natural waters of the State;**
 - (4) the disposal of shellfish, shellfish parts, and associated biota;**
 - (5) reporting requirements.**
 - (6) cleanup, removal, or disposal of imported shellfish or any other corrective action deemed necessary by**
- the department resulting from improper, unproved, or illegal actions by the permittee; and**
- (7) the inspection or testing of shellfish with respect to disease, parasites or associated biota**

© An individual or corporation who imports molluscan shellfish, shellfish tissues, or shells for a commercial or experimental purpose to place in natural waters or waters connected to natural waters or an individual or corporation who places imported molluscan shellfish,

shellfish tissues or "hells in natural waters or waters connected to natural waters without being properly permitted, or both, or who fail" to meet the conditions of a permit is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred not more than five hundred dollars or imprisoned not more than thirty day". The department may revoke a permit issued under this section if a condition of that permit is violated. The department may require an individual or corporation convicted of a violation of this section to corms damages to the marine resource as determined by the department or pay the department for all coats associated with cleanup or corrective actions resulting from the violator's action."

Time effective

Section 2. This act takes effect upon approval by the Governor. Became law without the signature of the Governor 517196.

South Carolina
James A. Timmerman Jr., Ph.D.
Wildlife & Marine Executive Director
Resources Department
W. Brock Conrad, Jr.
Director of Wildlife and Freshwater Fisheries

**S.C.W.M.RD. VENDOR REQUIREMENTS TO SALE, TRANSPORT, OR POSSESS
TRIPLOID GRASS CARP IN SOUTH CAROLINA**

Attached, please find the Freshwater Fisheries Division (S.C.W.M.RD.) Policy and procedures for the importation, sale, transport, and possession of triploid (sterile) grass carp in South Carolina.

Please read over the policy and procedures **very carefully. Policy and procedures are to be strictly followed by all approved triploid grass carp vendors during business in South Carolina**

Vendor Application Request

I have received, understand, and will strictly abide by the Freshwater Fisheries Division (S.C.W.M.RD.) policy and procedures to import, transport, sale, or possess triploid grass carp in South Carolina.

Company Name
Address

Telephone No. (____)

Date

CHAPTER 16 [NEW]

Importation of Wildlife

Sec. 50-16-10. "Wildlife" defined.

50-16-20. Importation of wildlife for certain purposes prohibited; investigation; permit.

50-16-30. Importation of diseased animals prohibited.

50-16-40. Exception to permit requirement for wildlife imported for exhibition to purposes.

50-16-50. Authority to promulgate regulations.

50-16-60. Exception to permit requirement for certain wildlife imported for sale as pets,

50-16-70. Penalties.

50-16-10. "Wildlife" defined.

For the purpose of this chapter "wildlife" means a member of the animal kingdom including without limitation a mammal, fish, bird, amphibian, reptile; mollusk, crustacean, arthropod, or other invertebrate.

Effect of Amendments--

The 1989 amendment, made grammatical changes.

Cross references--

For definition of wildlife for purposes of non game and endangered species conservation, see 50-15-20.

5-16-20. Importation of wildlife for certain purposes prohibited; investigation; permit.

(A) It is unlawful for a person to import, possess, or transport for the purpose of release or to introduce or bring into this State any live wildlife of the following type as without a permit from the department:

(1) a furbearer, a member of the family Cervidae, a nondomestic member of the families Suidae (pigs), Tayssuidae (peccariis), Bovidae (bison; mountain goat, mountain sheep), coyote, bear, or turkey (genus Meleagris). Furbearer includes, but is not limited to red and gray fox, raccoon, opossum, muskrat, mink, skunk, otter, bobcat, weasel, and beaver;

(2) a species of marine or estuarine fish, crustacean, mollusk, or other marine invertebrate not already found in the wild; or not native to this State.

(B) A permit may be granted only after the investigations and inspections of the wildlife have been made as the department considers necessary and the department approves the possession, transportation, or importation into the State. The department may not issue a permits unless it finds:

- (1) the wildlife was taken lawfully in the jurisdiction in which it originated;
- (2) the importation, release, or possession of the wildlife is not reasonably expected to adversely impact the natural resources of this State or its wildlife populations.

HISTORY: 1979 Act. No. 172 1' eff., July 25, 1979; 1989 Act No. 41, 1, eff. April 6, 1989.

Effect of amendment:

The 1989 amendment, rewrote this section to specify the species of wildlife subject to its provision, and added the requirements for the issuance of permits formerly contained in Section 50-16-40.

Cross reference:

For additional restrictions regarding importation of animals on endangered species list, see

Exceptions to permit requirements of this section, see Section 50-16-40.

Research ant Procedure Relevance:

35 Am Jur 2d, Fish and Game 36, 42, 50, 50.3, 50.5.

ALR and L, Ed Annotations-

Validity and construction of statute prohibiting sale within state of skin or body of specified wild animals or of the animals or of the animal itself. 44 ALR 3d 1008.

FISH, GAME AND WATERCRAFT

50-16-30. Importation of diseased animals prohibited.

It is unlawful for a person to possess, transport, or otherwise bring into the State **or release or introduce into the State any diseased wildlife or**, other animal that reasonably might be expected to pose a public health or safety hazard as determined by the South Carolina Department, of Health and Environmental Control after consultation with the department.

HISTORY: 1979 Act No. 172 1, eff. July 25, 1979; 1989 Act. No. 41, 1 eff. April 6, 1989.

Effect of Amendments-

The 1989 amendment, replaced "transmit any disease to wildlife" with "pose a public health or safety hazard as determined by the South Carolina Department of Health and Environmental Control after consultation with the department, and made grammatical changes.

ALR and L Ed Annotations-

Admissibility of opinion evidence of lay witnesses as to diseases and physical condition of animals.
49 ALR2d 93

50-16-40. Exception to permit requirement for wildlife imported for exhibition purposes.

Wildlife imported for exhibition purposes only by state wildlife departments, municipal zoos or parks, public museums, public zoological parks, and public scientific or educational institutions operated not for profit, and transient circuses are not required to procure a permit under Section 50-16-20. Nothing in this chapter prohibits the department or its duly authorized agents from possessing, importing, or releasing wildlife.

HISTORY: 1979 Act No. 172 1, eff. July 25, 1979; 1989 Act. No. 41, 1 eff. April 6, 1989.

Effect of Amendments-

The 1989 amendment deleted former Section 50-16-40, and renumbered former Section 50-16-50 as 50-16-40, replacing a reference to Section 50-16-40 with 50-16-20, and adding the last sentence. The substance of former 50-16-40 can be found in Section 50-16-20.

50-16-50. Authority to promulgate regulations .

The department may promulgate regulations to effectuate the provisions of this chapter

HISTORY: 1979 Act No. 172 1, eff. July 25, 1979; 1989 Act. No. 41, 1 eff. April 6, 1989.

Effect of Amendments

The 1989 amendment provides for promulgation of regulations. Substance of former Section 50-16-50 now appears in Section 50-16-40.

Importation of Wildlife**50-16-60. Exception to permit requirement for certain wildlife imported as pets.**

The importation of the following wildlife for sale in the pet trade does not require a permit:

1. tropical fishes

2. rats and mice
3. rabbits
4. canaries
5. gerbils
6. shell parakeets
7. love birds
8. cockatiels
9. parrots
10. toucans
11. mynah birds
12. finches
13. hamsters
14. guinea pigs
15. reptiles
16. amphibians

The provisions of this section do not privilege the import or possession of a species otherwise protected or regulated by other provisions of this title.

HISTORY: 1979 Act No. 172 1, eff. July 25, 1979; 1989 Act. No. 41, 1 eff. April 6, 1989.

Effect of Amendments-

The 1989 amendment, made grammatical changes.